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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/285,879	04/07/1999	YOSHIFUSA TOGAWA	614.1957	4256

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EXAMINER

THAI, XUAN MARIAN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 01/03/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/285,879		TOGAWA	
	Examiner		Art Unit	
	XUAN M. THAI		2181	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3 & 4</u> | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. This is in response to communication filed on April 7, 1999. Claims 1-18 are presented for examination.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Regarding claims 1 and 4, the scope of the “control unit” is unclear since it is disclosed that there are numerous controllers. Is this control unit meant to encompass all the controllers that drive the different devices or a particular controller for a particular device?

6. Claims 2-3 and 5 are rejected for the same reasons as set forth in claims 1 and 4, since they are dependent from the rejected claims 1 and 4.

7. Regarding claim 18, the scope of the claim is uncertain because it is dependent on claim 16 and “said driving data” lacks a clear antecedent basis. From context, claim 18 should depend

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from claim 17. For the purposes of consideration of the claim on the merit, claim is being treated as if it depends from claim 17. Appropriate corrections are requested.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

9. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Bartley (USPN 6,219,796).

As per claims 1 and 4, Bartley discloses the claimed invention including an apparatus which drives a plurality of driving means (functional units) according to data to be processed (e.g. instruction type; col. 5, lines 2-4); a detection unit which detects type of the data to be processed is disclosed by Bartley, for example Bartley discloses the ability of processor to

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perform 'mapping' of instruction types to functional units (col. 5, lines 13-32); and a control unit (e.g. control registers 11f or control logic unit 11g or power down logic 18; col. 3, lines 62 bridging col.4, lines 1-5) which controls the plurality of driving means (functional units) according to said type of data to be processed (see col. 5, lines 9-58) or according to control data added to said data to be processed (e.g. sleep instruction or power up instruction) [see col. 5, lines 60 bridging col. 7, lines 1-61; particularly col. 7, lines 56-58].

As per claims 2, 3 and 5; Bartley discloses the claimed invention further including wherein the control unit controls a power source which supplies power (power up or wake) to the plurality of driving means (functional units) that can process the data to be processed and stops (sleep instruction) supplying power to each of the plurality of driving means (functional units) that cannot process (not needed) said data to be processed [e.g. see col. 5, lines 60 bridging col. 7, lines 1-61].

As per claim 6; the claim has the same scope of that of claim 1 except it is directed to the method steps for performing the addressed functions; therefore it is rejected with the same rationale as applied to claim 1 supra.

As per claims 7 and 8; the claims have the same scope of that of claims 1-3 except they are directed to the method steps for performing the addressed functions; therefore they are rejected with the same rationale as applied to claims 1-3 supra.

As per claim 9; the claim has the same scope of that of claim 4 except it is directed to the method steps for performing the addressed functions; therefore it is rejected with the same rationale as applied to claim 4 supra.

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As per claim 10; the claim has the same scope of that of claim 5 except it is directed to the method steps for performing the addressed functions; therefore it is rejected with the same rationale as applied to claim 5 supra.

As per claims 11-13, the claims have the same scope of that of claims 1-3 except they are directed to the computer readable medium with a program for performing the addressed functions; therefore they are rejected with the same rationale as applied to claims 1-3 supra further Bartley also discloses a computer program (see abstract).

As per claims 14-16, the claims have the same scope of that of claims 3-5 except they are directed to the computer readable recording medium with a program for performing the addressed functions; therefore they are rejected with the same rationale as applied to claims 3-5 supra further Bartley also discloses a computer program in program memory (see abstract and figure 1).

As per claims 17 and 18, Bartley discloses the claimed invention including a computer readable recording medium (program memory 12) comprising: data comprising: driving data to be supplied to driving means (data to be processed by the functional units or active instructions) [see cols. 3-5]; and control data (power down or up instructions) used to control other driving means (functional units that are not needed to execute a program segment) [see cols. 5-7]; wherein control data is recorded just before said driving data (e.g. power down instructions are inserted at the beginning of the segment) [see col. 6, lines 5-7 and col. 7, lines 27-28].

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached list of references cited on Form PTO-892.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xuan M. Thai whose telephone number is (703) 308-2064.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Robert Beausoliel can be reached on (703) 305-9713.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For Status inquiries and draft communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



XUAN M. THAI
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100

XMT
December 31, 2001